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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/740,017	12/18/2003	Michael Jackson II	706804US1	1703

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DAIMLERCHRYSLER INTELLECTUAL CAPITAL CORPORATION
CIMS 483-02-19
800 CHRYSLER DR EAST
AUBURN HILLS, MI 48326-2757

EXAMINER

FIGUEROA, ADRIANA

ART UNIT	PAPER NUMBER
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3637

MAIL DATE	DELIVERY MODE
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05/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/740,017

Applicant(s)

JACKSON ET AL.

Examiner

Adriana Figueroa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-3, 7, 8, 14, 15, 16 are rejected under 35 U.S.C. 103(a) as being anticipated by Roberts (U.S. 3,953,630) in view of Ohlenforst (US 5,120,584).

Regarding claims 1 and 16, Robert discloses a window assembly comprising: a first glass layer (10); a second glass layer (11) bonded to the first glass layer by an adhesive (12), and an engagement module (e), (annotated Figure 1).

Roberts does not disclose an air gap formed that defines a space between the first and second glass layers. However, Ohlenforst teaches an air gap (13) formed that defines a space between the first (11) and second (12) glass layers. Therefore, it would have been obvious to a person having ordinary skill in the arts at the time of the applicant's invention to modify the first and second glass layers of Roberts to have spacing between void of the adhesive as taught by Ohlenforst in order to improve the insulation of the window.

Roberts does not disclose the engagement module having a portion received within at least a portion of the air gap to bond the engagement module between the first and second glass layers. However, Ohlenforst teaches the engagement module (15, 26)

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having a portion received within at least a portion of the air gap (13), (Figure 1).

Therefore, it would have been obvious to a person having ordinary skill in the arts at the time of the applicant's invention to modify the engagement module of Roberts to have a portion within the air gap as taught by Ohlenforst in order to increase the surface area available for moisture absorption.

The phrase "the engagement module adapted to connect the window to the window opening mechanism" is considered intended use and is given no patentable weight.

Regarding claim 2, Roberts discloses a window wherein the adhesive is polyvinyl butyral, (Column 4, Line 37).

Regarding claim 3, Roberts discloses a window wherein the engagement module (e) comprises a border (b) that is received between the first (10) and second (11) glass layers to bond the engagement module to the first and second glass layers and a central hub (16), (annotated Figure 1). The phrase "adapted to engage the window opening mechanism" is considered intended use and is given no patentable weight.

Regarding claim 7, Roberts discloses a window wherein the central hub (16) comprises an aperture (28), (annotated Figure 1). The phrase "for lockingly engaging the window opening mechanism" is considered intended use and is given no patentable weight.

Regarding claim 8, Roberts discloses a window wherein the engagement module (e) is bonded to a lower edge (l) of the window, (annotated Figure 1). The phrase "for

vertical movement of the window by the window opening mechanism” is considered intended use and is given no patentable weight.

Regarding claim 14, Roberts discloses a window wherein the engagement module (e) is formed of nylon, (Column 3, Lines 19-21).

Regarding claim 15, Roberts discloses a window wherein the engagement module (e) further comprises an integrally molded metallic center (25), (Column 5, Lines 49-52).

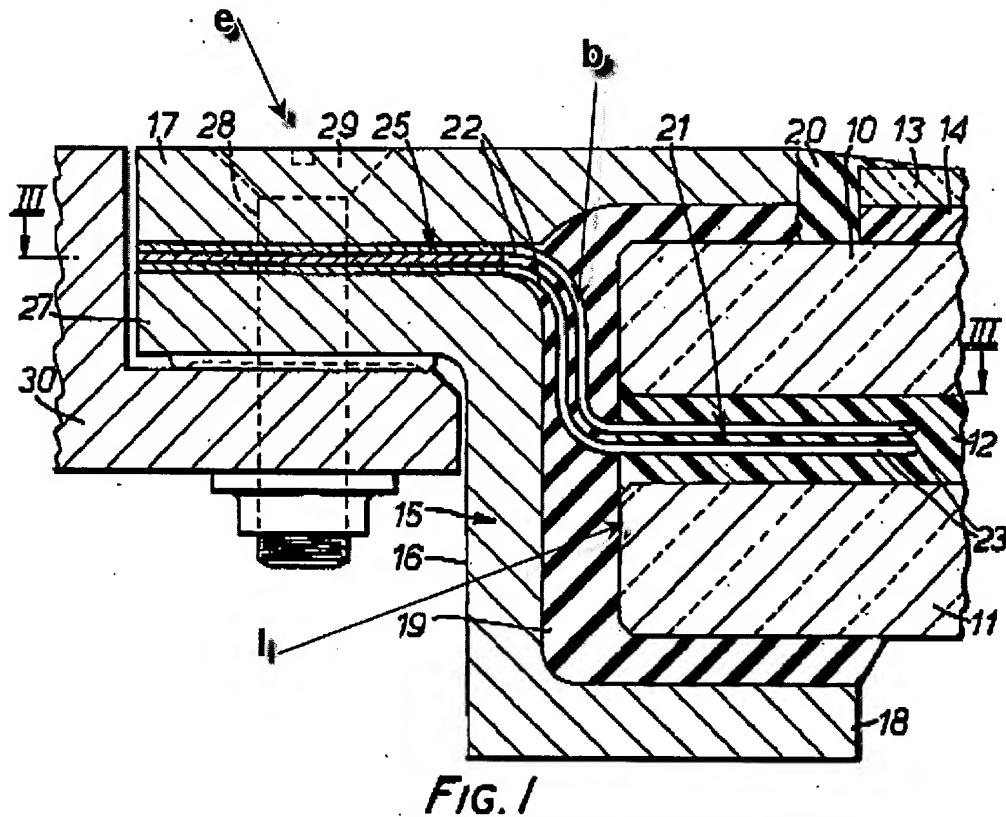
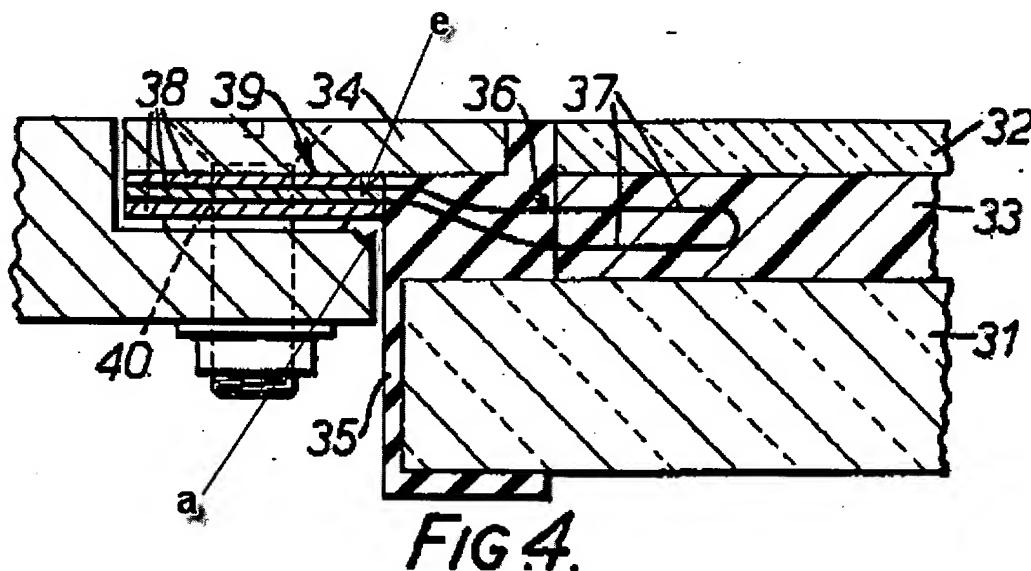


FIG. 1

Roberts (U.S. 3,953,630)

2. Claims 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts (U.S. 3,953,630), Figure 1 in view of Ohlenforst (US 5,120,584) and further in view of Roberts (U.S. 3,953,630), Figure 4. Roberts in Figure 1 modified by Ohlenforst discloses as discussed above but does not disclose a portion of the air gap exist between the engagement module and the adhesive. However, Roberts in Figure 4 teaches a portion of the air gap between the engagement module and the adhesive (annotated Figure 4). Therefore, it would have been obvious to a person having ordinary skill in the arts at the time of the applicant's invention to modify the window of Roberts in Figure 1 to have air gap between the engagement module and the adhesive as taught by Roberts in Figure 4 in order to make easier to mount the window or removed to be repaired.



Roberts (U.S. 3,953,630)

3. Claims 5, 6, 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts (U.S. 3,953,630), in view of Klosterman (U.S. 6,330,764).

Regarding claim 5, Roberts modified by Ohlenforst discloses a window having a central hub (16), but does not disclose the central hub having a wedge-shaped portion. However, Klosterman teaches a window wherein the central hub (h) has a wedge-shaped portion, (annotated Figure 2). Therefore, it would have been obvious to a person having ordinary skill in the arts at the time of the applicant's invention to modify the central hub of Roberts and Ohlenforst to have a wedge-shaped portion as taught by Klosterman in order to provide a simple, fast assembly positioning and assembly of the window glass. The phrase "for aligning with the window opening mechanism" is considered intended use and is given no patentable weight.

Regarding claim 6, Roberts discloses a window wherein the central hub (16) comprises an aperture (28), (annotated Figure 1). The phrase "for lockingly engaging the window opening mechanism" is considered intended use and is given no patentable weight.

Regarding claims 9 and 11, Roberts modified by Ohlenforst discloses a window assembly having a lower edge (l), but does not disclose the lower edge defining a semi circular indentation for receiving the engagement module, the engagement module forming a continuation of the lower edge. However, Klosterman teaches a window assembly having a lower edge (e) defining a semi circular indentation (78) for receiving the engagement module (42), the engagement module forming a continuation of the lower edge, (annotated Figure 2). Therefore, it would have been obvious to a person

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having ordinary skill in the arts at the time of the applicant's invention to modify the lower edge of Roberts and Ohlenforst to have a semi circular indentation as taught by Klosterman in order to position and retain the window glass.

Regarding claim 10, Roberts discloses a window wherein the engagement module (e) comprises a border (b) for bonding between the first (10) and second (11) glass layers and a central hub (16), (annotated Figure 1). The phrase "adapted to engage the window opening mechanism" is considered intended use and is given no patentable weight.

Regarding claims 12 and 13, Roberts modified by Ohlenforst discloses a window assembly having an edge (l), and a first (10) and second (11) glass layers, but does not disclose the first and second glass layers defining a semi circular indentation in the edge, the engagement module being received in the indentation. However, Klosterman teaches a window assembly wherein the glass layer (16) has a semi circular indentation (78) in the edge (e), the engagement module being received in the indentation, (annotated Figure 2). Therefore, it would have been obvious to a person having ordinary skill in the arts at the time of the applicant's invention to modify the first and second glass layers of Roberts and Ohlenforst to have a semi circular indentation as taught by Klosterman in order to position and retain the window glass.



Klosterman (U.S. 6,330,764)

Response to Arguments

4. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adriana Figueroa whose telephone number is 571-272-8281. The examiner can normally be reached on Monday-Friday 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AF/AF
05/12/2007

LANNA MAI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

